



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

TESTIMONY PRESENTED BEFORE THE PUBLIC HEALTH COMMITTEE March 6, 2009

Ellen Blaschinski, Branch Chief, Regulatory Services Branch/ 509-8171

House Bill 6616 - An Act Establishing Wood Smoke to be a Public Nuisance.

The Department of Public Health **opposes** House Bill 6616.

This bill would add wood smoke to the list of conditions that can be declared to constitute a public nuisance under the Public Health Code (PHC).

The PHC, under Section 19-13-B2 of the Connecticut State Regulations, currently provides local health directors the authority to issue orders for abatement of wood smoke when they find it to be a public nuisance. The local health authorities are not limited to the specific nuisance enumerated under Section 19-13-B1 of the Connecticut State Regulations.

The broad powers given to local directors of health under current regulations are very important and any alteration to these sections could in fact decrease these powers. By listing additional items (such as wood smoke), it could be inferred that those items not listed there are not considered a public nuisance.

Recently a local health director issued an order dealing with wood smoke using 19-13-B2. That order was upheld by the Department on November 10, 2008. That order was subsequently appealed and a final hearing was held the week of February 24, 2009. If that order is ultimately upheld, DPH plans to issue a notice to all Local Health Departments informing them of the decision and reminding them of this authority within the Public Health Code.

Thank you for your consideration of the Department's views on this bill.

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